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April 28, 2006

Norman Y. Mineta
Secretary of Transportation
U.S. Department of Transportation
400 7th Street, S.W.
Washington, D.C. 20590

Dear Secretary Mineta:

I write to you in response to your letter to the Majority and Minority leaders of the House and Senate, dated April 27, 2006, requesting that Congress grant authority to the U.S. Department of Transportation (DOT) to reform fuel economy standards for passenger vehicles.

The letter fails to note that under current U.S. law, President Bush has been granted the authority to change the average fuel economy for passenger vehicles. Under section 32902 of U.S. Code, the Secretary of Transportation is given the ability to prescribe regulations amending the average fuel economy standard for passenger vehicles of 27.5 miles per gallon. This section allows the President to raise or lower current fuel economy standards as he sees fit. While the specific Congressional approval procedures set forth under the law are inconsistent with the Supreme Court's decision in *INS v Chadha*, that does not invalidate the Administration's fundamental authority to issue revised CAFE standards. Congress can address the *Chadha* issue by ensuring that any Congressional resolution on this subject comes in the form of a joint resolution, approved by both Houses.

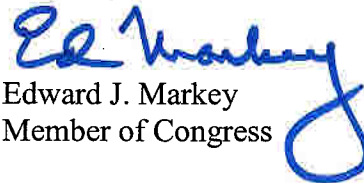
I am extremely disappointed that since 2001, despite our ever worsening vulnerability to oil supply shortages, gas gouging and geopolitical instability, the Administration has chosen not to exercise this existing legal authority to raise fuel economy standards for passenger vehicles. Moreover, the Administration has repeatedly fought the efforts of myself and others in Congress to require by law what the President refuses to initiate on his own. Meanwhile, since President Bush took office in 2001, the nationwide average price of gasoline has more than doubled and our dependence on imported oil has ballooned.

Merely raising CAFE standards for cars and light trucks to 33 mpg would result in savings of more than 2.5 million barrels of oil each day. Increasing fuel economy standards would be an important step in reducing our dependence on oil from unstable regions in the Middle East and would help to ease some of the burden for American consumers who are bearing the brunt of high gas prices. In addition, increasing fuel economy standards would

reduce the greenhouse gas emissions that are responsible for global warming. Right now, roughly 20 percent of the United States' greenhouse gas emissions come out of the tailpipes of the automobiles on our roads.

I strongly urge President Bush to use his existing authority to immediately increase the fuel economy standards for cars, trucks and SUVs in order to help American consumers, improve our national security, and enhance our environment. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ed Markey", with a large, stylized flourish extending from the end of the signature.

Edward J. Markey
Member of Congress